

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 15

Application Number 09/482,773

Filing Date JANUARY 13, 2000

First Named Inventor DREHER, et al.

Art Unit 1617

Examiner Name TBA

Attorney Docket Number 99.49US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | IDS Form PTO/SB/08A - (1 page) |
| <input checked="" type="checkbox"/> Information Disclosure Statement - (1 Page) | <input type="checkbox"/> Request for Refund | 3 Cited References (12 pages) |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | Postcard |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	ESTEE LAUDER COMPANIES		
Signature			
Printed name	CYNTHIA R. MILLER, ESQ.		
Date	April 22, 2005	Reg. No.	34,678

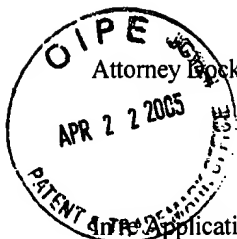
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	VICTORIA T. PALUMBO	Date	4/20/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No.: 99.49US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: **DREHER, et al.**

Serial No.: 09/482,773

Group Art Unit: 1617

Filed: **JANUARY 13, 2000**

Examiner: **YU, GINA**

For: **OPTICAL MAKEUP COMPOSITION**

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references that may be material to the examination of this application and with respect to which there may be a duty to disclose.

This paper shall not be construed as an admission that the references are, or are considered to be, material to patentability as defined in 37 C.F.R. 1.56(b), unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no material references other than those listed exist or that a search has been conducted.

The references are listed on the enclosed Form PTO/SB/08A (substitute for Form 1449/PTO) which is in accordance with the requirements of M.P.E.P. 609. Three English-language abstracts of Japanese-language references and their partial translations are enclosed to satisfy the requirement regarding a concise explanation of foreign language references.

An appeal brief was filed by the applicant on **November 24, 2004**. A notice of allowance has not issued.

STATEMENT UNDER 37 C.F.R. 1.97(e)

Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. No fee is due.

Date:

April 20, 2005

Respectfully submitted,

Cynthia R. Miller, Esq. (Reg. No. 34,678)
Estee Lauder Companies
155 Pinelawn Road
Suite 345 South
Melville, NY 11747
(631) 414-6068

